In the High Court of Judicature of Chattisgarh
at Bilaspur. WP- 882/05

Petition dispatched by Courier.
On the Human Rights day. dated 10.12.04

Petitioner : *Dr.Pratap Agrawal s/o LateBN Agrawal,*
aged 60 , Advocate, Jagdalpur 494001.

Versus.

Respondents : *1, Government of Chattisgarh,*
Chief Secretry, Mantralaya, Raipur.

2 .~~Inspector General Prison, Prison HQrs, Raipur.~~ Human Rights Commission Chattisgarh Raipur

DR(A)

Public Interest Petition under Art 226/227 Indian Constitution under Article 21 for protection of life and liberty and to upkeep Human Rights...

XI-HC-22

(10)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 882/05 **सन्** **200**

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Division Bench :
Hon'ble Shri Fakhruddin, Ag.C.J &
Hon'ble Shri Sunil Kumar Sinha, J

11-03-2005

This is an office reference.

Shri Prashant Mishra, Add. A.G., for the State.

The petitioner, who is an Advocate, has sent this petition by post. It appears that on 10/12/2004 the petitioner noted that 10th December is a human right day and the complete strength of Human Right Commission has not been filled up in this State.

The anxiety may be there but for taking up a cause in a public interest litigation is something different. If the same is filed in form of a petition, it requires thorough preparation in this regard. There should be a proper drafting of the petition. It should not contain vexatious averments. It should contain the facts, grounds and should be properly filed as per the directions given by the Hon. Supreme Court in the case of ***S.P. Anand vs. H.D. Deve Gowda*** reported in ***AIR 1997 SC 272.*** The said case also contains certain guide-lines. The High Court of M.P. in the case of ***S.P. Anand vs. State of M.P. & ors.*** reported in ***1999 (II) MPJR 532*** has also made certain guide-lines regarding filing of the same.

We have gone through the petition. It does not contain the proper pleadings.

This Court has also considered the matter in great detail in Writ Petition No.4123/04 (Raj Kumar Singh vs. State of C.G. & Ors.).

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(11)

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Instead of proceeding further, we are dropping the matter at this stage with the hope that the petitioner, who is practicing advocate, would be well advised to go through the law on the subject.

So far as full strength of the Human Rights Commission is concerned, Shri Prashant Mishra, Addl. Advocate General, points out that one Member Mr. Jacob had resigned and Mr. L.J. Singh, who was the Member of Administrative Tribunal, is discharging the functions as Acting President of Human Rights. It is pointed out that the Retired Chief Justice of the High Court or the Retired Judge of the Hon. Supreme Court is to be the Chairman and therefore the matter has to be processed through various constitutional functionaries. It is stated that the State Govt. is conscious of the fact and the matter is under consideration of the Government. The statement is recorded.

Having heard and considered the facts and circumstances, we are of the opinion that instead of taking any action, this petition may be disposed of with a direction to the State to proceed in the matter in accordance with law and decide it as expeditiously as possible.

Accordingly, this petition stands disposed of.

Copy to the State counsel.

Sd/-
Sunil Kumar Sinha
Judge

Sd/-
Acting Chief Justice

P/11

Received Bahadur 9/4/15

(पीछे देखिये)